

IN THE MATTER of the Resource Management Act 1991(RMA)

AND

**IN THE MATTER of Private Plan Change 100 – Riverhead to the
Auckland Unitary Plan**

JOINT WITNESS STATEMENT (JWS) IN RELATION TO:

Topic: Planning

Date 9 September 2025

Expert Conferencing Held on: 9 September 2025

Venue: Barker & Associates and Online

Independent Facilitator: Marlene Oliver

Admin Support: Rebecca Sanders

1 Attendance:

- 1.1 The list of participants is included in the schedule at the end of this Statement.
- 1.2 Declarations – the participants expertise and roles are set out in the schedule. This JWS should be read having regard to those relationships.

2 Basis of Attendance and Environment Court Practice Note 2023

- 2.1 All participants agree to the following:
 - (a) The Environment Court Practice Note 2023 provides relevant guidance and protocols for the expert conferencing session;
 - (b) They will comply with the relevant provisions of the Environment Court Practice Note 2023;
 - (c) They will make themselves available to appear before the Panel;
 - (d) This statement is to be filed with the Panel and posted on the Council's website.

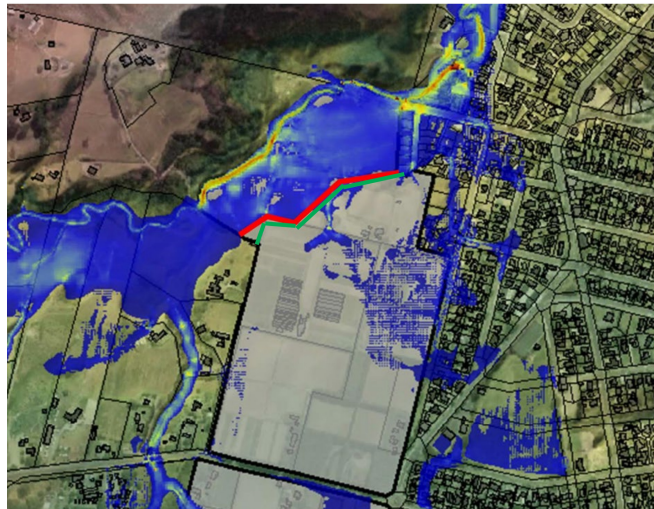
3 Matters considered at Conferencing – Agenda and Outcomes

- 3.1 **HP41 What is the most appropriate zoning for 22 Duke Street and 30 Cambridge Road, and therefore the location of the RUB?**

3.1.1 Zoning – All agree that the most appropriate zoning outside the RUB is as proposed in the plan change is Rural – Mixed Rural. The urban side of the RUB is Residential – Mixed Housing Suburban.

3.1.2 RUB and Zone Boundary – This is an area of disagreement as set out below. The reasons for the differences are as per the evidence of the experts and Stormwater and Flooding JWS 2.

- As notified – KC and MT.
- Stormwater and Flooding JWS 2 paragraph 3.11.8 (Red line from Stormwater and Flooding JWS 2 paragraph 3.11.8 modified to remove the whole 22 Duke Street property. Refer to the green line on the plan below)- DW, PV and RD.
- Operative RUB and all zoned Residential – Mixed Housing Suburban – TK.



3.1.3 CH and RD consider a suitable transport assessment would be necessary to support an increase in urban zones from that shown at the hearing and included in the applicant's ITA.

3.2 **HP48 What should the purpose of the multi-purpose green corridor be?**

3.2.1 KC, MT, TK, RD, PV, DS and DW agree that the following amendments (highlighted yellow) to the precinct description better describe the purpose of the multi-purpose green corridor.

3.2.2 *Green corridors are multi-purpose public spaces which provide for amenity, informal recreation, ecological, stormwater and/or movement functions that are and integrated with, or are adjacent to, the street network and open spaces (including the two indicative neighbourhood parks).*

3.3 **HP49 What changes would need to be made to the precinct provisions to ensure that the multi-purpose green corridor is implemented?**

3.3.1 KC, MT, TK, RD, PV, DS and DW agree that in addition to the amendments in paragraph 3.2.2 above, the following amendments (highlighted yellow) to Objective 5A, Policy 13, matters of discretion (IX8.1((2)) and assessment criteria (IX8.2(2)) and the legend to precinct plan 2 are required.

Objective (5A): The design and layout of subdivision and development enables opportunities for integration between open space, ~~ecological~~, stormwater management and/or movement functions within multi-purpose green corridors.

Policy 13: Encourage the provision of integrated ~~a continuous and connected~~ multi-purpose green corridors in the locations indicatively shown on IX.10.2 Riverhead: Precinct plan 2, which achieves the following outcomes:

(a) Integrates stormwater management, ~~passive recreation open space opportunities~~ and active transport mode connections, to promote the efficient use of land;

(b) In achieving the outcomes in Policy 13(a), encourage:

(i) ~~Provides a~~ Additional amenity for the key north-south and east-west movement networks; ~~and~~

(ii) ~~Promotes~~ Additional ecological linkages benefits through the use of indigenous vegetation and canopy planting. ~~Precinct; and~~

~~(iii) Co-locates Incorporates Incorporation of smaller open spaces along the multi-purpose green corridor to achieve a connected an integrated network of open space.~~

IX8.1((2)..

For new buildings prior to subdivision; and subdivision, including subdivision establishing private roads:

....

(ca) Provision of the multipurpose green corridors;

....

IX8.2(2)..

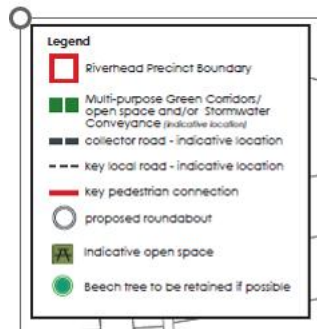
Multi-purpose green corridor

(c) Whether multi-purpose green corridors are provided in a manner consistent with Policy IX.3(13).

(ka) Whether multi-purpose green corridors are provided in the locations generally consistent with the indicative locations shown on IX.10.2 Riverhead: Precinct plan 2.

...

Precinct Plan 2: Amend legend to replace item 2 to read “Multi-Purpose Green Corridor”.



3.4 **HP42 What should the activity status for non-compliance with the required transport upgrades be?**

3.4.1 This is an area of disagreement as summarised below. The reasons for the differences are as per the evidence/Section 42A Report of the experts.

3.4.2 KC and MT consider that the activity status should remain restricted discretionary for triggers related to local upgrades and discretionary for wider network upgrades.

3.4.3 DW and PV consider that the activity status should be non-complying activity for Table IX.4.1(A4) and (A5). (A6) can remain RDA. DW and PV agree that non-compliance with Appendix 2 could be an RDA if it was removed from A5 and made a separate activity.

3.4.4 CH agrees with KC that where Appendix 1 and 2 are not met, RDA is suitable. For wider network and local road upgrades (KC's IX.6.1A and IX.6.1), CH continues to support a NCA status.

3.4.5 RD considers the activity status should be non-complying for non-compliance with the required transport upgrades.

3.5 **HP44 What additional amendments are required to the objectives and policies to support those activity statuses?**

In respect of water and wastewater:

3.5.1 RD, DW, LA, PV and CH (Objective 5) support the following wording:

Objective (5) Subdivision and development are coordinated with the supply and capacity of adequate transport, water supply, wastewater, energy and communications infrastructure where subdivision and development in advance of the provision of such infrastructure being operational, are avoided.

Objective (5A) Subdivision and development does not occur in advance of the availability and capacity of bulk water supply and bulk wastewater infrastructure.

IX.3 Policy (5A) Avoid subdivision and development progressing ahead of the provision of bulk water supply and bulk wastewater infrastructure with sufficient capacity to service subdivision and development within the precinct.

- 3.5.2 KC and MT do not consider that any amendments are needed to the objectives and policies attached to KC's rebuttal evidence dated 12 May 2025.

In respect of transport:

- 3.5.3 KC and MT consider no additional amendments, beyond those attached to KC's rebuttal evidence dated 12 May 2025 are required.
- 3.5.4 DW considers changes as set out in Attachment 5 s42a report are required.
- 3.5.5 CH position on objective 5 refer to paragraph 3.5.1 above.
- 3.5.6 CH supports the replacement of Policies 4 and 3A with a new policy (x) (repeated below for reference) to support a NCA where wider network and local road upgrades are not provided. CH also proposes minor amendments to Policy 10(a) to reflect what is required in the Appendix 1 and 2 tables and support the RD status for non-compliance with the Road Design standard.

New Policy (x) to replace Policies 3A and 4:

(x) To minimise the adverse effects of development on the safety, efficiency and effectiveness of the surrounding road network, require that subdivision and development is coordinated with, and does not occur in advance of, infrastructure identified in the Precinct standards being operational.

Policy 10

(10) Require streets to be attractively designed and to appropriately provide for all transport modes by:
 (a) providing for safe separated access for cyclists and pedestrians on arterial and collector roads;

- 3.6 **HP45 Should there be a standard within the precinct provisions requiring connection to a functioning water and wastewater infrastructure system with sufficient capacity to service the plan change area prior to subdivision or development? If so, what should those triggers be based upon?**
- 3.6.1 KC and MT consider that a specific standard is not required and that there are no specifically identified upgrades that could form the basis for a threshold standard (reflected in KC rebuttal version). KC and MT support RDA status (with matters of discretion, assessment criteria and special information requirements) as this is appropriate to ensure that servicing is provided for subdivision and development and there is an assessment of capacity.
- 3.6.2 LA considers that a specific standard and triggers are required, and this is set out in Attachment 1 of LA's Evidence in Chief dated 1 May 2025.

IX.6.17 Bulk Water Supply and Wastewater Infrastructure

Purpose: To ensure subdivision and development within the Precinct is adequately serviced with bulk water and wastewater infrastructure.

(1) Bulk water supply and wastewater infrastructure with sufficient capacity for servicing the proposed development must be completed, commissioned and functioning:

- (a) In the case of subdivision, prior to the issuing of a certificate pursuant to s224(c) for any residential and/or business zoned lots; or*
- (b) In the case of land use, prior to construction of any buildings for activities that would require water and/or wastewater servicing.*

- 3.6.3 DW and PV consider that a standard is necessary requiring the development to connect to a reticulated system.

New Standard: IX.6.17 Wastewater and Potable Water Connections

Purpose: to ensure efficient delivery of wastewater and potable water infrastructure for Riverhead Precinct.

(1) All subdivision and development shall be connected to a functioning and consented potable water and wastewater system (including treatment and associated discharge) with sufficient capacity to service that subdivision or development prior to:

(a) In the case of subdivision, the issue of s224(c);

(b) In the case of development only, the passed final inspection under the Building Act of any buildings (excluding those buildings not required to have a water or wastewater service).

- 3.6.4 RD supports the following proposed standard.

New Standard: IX.6.17 Wastewater and Potable Water Connections

Purpose: to ensure efficient delivery of wastewater and potable water infrastructure for Riverhead Precinct.

(1) All subdivision and development shall be connected to a functioning and consented potable water and wastewater system (including treatment and associated discharge) with sufficient capacity to service that subdivision or development; or

(2) Be supported by written confirmation by the infrastructure services provider for the area who planned capital works required to provide water and wastewater infrastructure that would provide connections for water and wastewater are suitably advanced and will have capacity to service the proposed subdivision or development.

- 3.7 **HP43 What should the activity status for non-compliance with the required infrastructure upgrades be?**

- 3.7.1 In respect of transport see HP42.

- 3.7.2 In respect of the three alternatives outlined in HP45 for wastewater and water supply infrastructure:

- LA, PV, DW and RD agree the activity status should be non-complying.

- 3.7.3 KC and MT consider that no activity status is applicable on the basis that no standard is necessary. If a standard is included non-compliance should have discretionary activity status.

3.8 HP46 What are the relevant matters that Council should be restricted to in its direction if infringements to the transport and infrastructure upgrade standards were to be classed as Restricted Discretionary activities?

In respect of water and wastewater:

3.8.1 In respect of water and wastewater no matters are required, refer to HP43 above.

3.8.2 The following planners agree (KC, LA, MT, RD, DW and PV) that if an infringement of standards relating to water and wastewater upgrades is classed as a Restricted Discretionary Activity (RDA) the matters that need to be addressed and any criteria would include:

- Connection to a reticulated system
- Adequacy of any alternative system being proposed including ongoing maintenance obligations, operational requirements and capacity
- Timing of availability of bulk infrastructure upgrades
- Effects on the environment of the alternative system including ecosystems and communities

In respect of transport:

3.8.3 The following planners agree that no matters of discretion are required for a discretionary (KC and MT) or non-complying (CH, PV, DW and RD) activity.

3.8.4 The following planners agree (KC, MT, CH, PV, DW and RD) that if non-compliance with Appendix 1 and 2 is determined to be a RDA then matters of discretion and assessment criteria set out in Appendix 5 of the Section 42A Report are appropriate.

3.8.5 The following planners agree (CH, KC) that if KC's approach to local road upgrades is preferred (i.e. RDA) matters of discretion listed in KC's IX.8.2(4) with the deletion of (f), are considered suitable.

3.9 HP47 What changes could be made to the precinct provisions relating to the local roading upgrades to ensure they are fair and equitable for all landowners within PC100?

HP22 – When should these local roading upgrades occur?

3.9.1 In respect to road frontage upgrades, MT has addressed this matter in his summary of evidence (section 9) dated 21 May 2025. MT considers that in respect to an infringement of IX6.1 (Staging of subdivision and development with transport upgrades), as an alternative to the above, if this standard is to provide a consenting path to address the scenario of the local centre developing first, then the discretions should provide for the consideration of the necessity and extent of the road frontage upgrade where there is no residential development occurring.

3.9.2 MT and KC consider that IX.8.1.(4A) should be amended to add:

(c) Necessity for and extent of upgrade required, including any interim measures, and provision for integration with the transport network, active modes and public transport.

- 3.9.3 CH considers no changes are required to the precinct provisions relating to the local roading upgrades to ensure they are fair and equitable.
- 3.10 **HP50 Are there any gaps between the Overlays, the Auckland-wide provisions and the precinct provisions that should be addressed within the precinct provisions in relation to the National Grid Corridor Overlay, natural hazards and flooding and infrastructure etc?**
- 3.10.1 For the matters that have been addressed in expert conferencing refer to other questions within this JWS.
- 3.11 **HP51 Should the Copper Beech tree be scheduled as a part of PC100?**
- 3.11.1 KC considers that the Cooper Beech tree is most appropriately included in the Precinct provisions as a matter for assessment as part of applications for subdivision.
- 3.11.2 DW considers that the Copper Beech tree should be scheduled as part of PC100 as it meets the criteria for scheduling. The use of assessment criteria is insufficient to ensure retention.
- 3.12 **HP37 Is additional work required to understand the potential for stream channel erosion to occur downstream of PC100, especially within the Northern Riverhead Forest Stream and the Southern Stream area?**
- 3.12.1 RD and DW do not consider that any exact provisions can be determined ahead of the final draft SMP due to the potential effects of the 8 ha diversion on watercourses outside of the plan change area.
- 3.12.2 KC and MT do not consider that any additional provisions are required in the plan change to address this matter (see PPC100 JWS Stormwater and Flooding (1) paragraph 3.2.2.5).
- 3.13 **HP38 Have the necessary precinct provisions required to integrate stormwater management into the development been incorporated within the proposed precinct provisions?**
- 3.13.1 The following experts (KC, DW, MT and RD) have reviewed opinions given in PPC100 JWS Stormwater and Flooding (2) paragraph 3.13 and confirm these views still stand.

4 PARTICIPANTS TO JOINT WITNESS STATEMENT

- 4.1 The participants to this Joint Witness Statement, as listed below, confirm that:
- (a) They agree that the basis of their participation and the outcome(s) of the expert conferencing are as recorded in this Joint Witness Statement; and
 - (b) They have read the Environment Court's Practice Note 2023 and agree to comply with it; and
 - (c) The matters addressed in this statement are within their area of expertise; and
 - (d) As this session was held in-person, in the interests of efficiency, it was agreed that each expert would verbally confirm their position in relation to this para 4.1 to the

Independent Facilitator and the other experts and this is recorded in the schedule below.

Confirmed: 9 September 2025

EXPERT'S NAME & EXPERTISE	PARTY	EXPERT'S CONFIRMATION REFER PARA 4.1
Karl Cook (KC), Planning	RLG (Applicant) Consultant	Yes
Rachel Dimery (RD), Planning	Auckland Council (submitter) Consultant	Yes
David Wren (DW), Planning	Auckland Council (s42A team) Consultant	Yes
Peter Vari (PV), Planning	Auckland Council (s42A team)	Yes
Douglas Sadlier (DS), Parks	Auckland Council (s42A team)	Yes Attended HP41, HP48 and HP49
Louise Allwood (LA), Planning	Watercare Services Ltd	Yes Attended HP43, HP44, HP45, HP46 and HP50
Cath Heppelthwaite (CH) Planning	Auckland Transport	Yes Attended HP41, HP42, HP43, HP44, HP46 and HP47
Mark Tollemache (MT), Planning	Good Planet Landholder Submitter Group Consultant	Yes
Tim King (TK), Planning	Aberdeen Adventures Ltd	Yes Attended HP41, HP48 and HP49